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SPECIAL SUPPLEMENT

STOCK DISEASES ACT 1923

Proclamation No. 572-BJD

Proclamation to Restrict the Importation or Introduction into New South Wales
of Cattle on Account of Johne's Disease

Her Excellency Professor MARIE BASHIR, A.C., C.V.O., Governor

I, Professor MARIE BASHIR, A.C., C.V.O., Governor of the State of New South Wales, with the advice of the Executive Council:

1. pursuant to sections 3 (2) (a) and 11B of the Stock Diseases Act 1923 ("the Act"), revoke Proclamation No. 565-BJD published in *NSW Government Gazette* No. 38 of 28 March 2008 at pages 2577-2581, and any proclamation revived as a result of its revocation;
2. pursuant to section 11B of the Act, and being of the opinion that any cattle having originated from a dairy holding might be infected with, or might carry or spread Johne's disease, restrict the importation or introduction into New South Wales of any cattle that have originated from a dairy holding in the manner set out in the Schedule below;
3. pursuant to section 11B of the Act, and being of the opinion that any cattle having originated from, or moved through, a management area might be infected with, or might carry or spread Johne's disease, restrict the importation or introduction into New South Wales of any cattle that have originated from or moved through a management area in the manner set out in the Schedule below; and
4. pursuant to section 11B of the Act, and being of the opinion that any cattle known to be infected with Johne's diseases, any cattle from a herd known to be infected with Johne's disease or a herd suspected of infection with that disease might carry or spread that disease, restrict the importation or introduction into New South Wales of any cattle from a herd infected with that disease or suspected of infection with that disease in the manner set out in the Schedule below.

SCHEDULE

A person must not bring, or cause or permit the bringing of cattle that have originated from a dairy holding or originated from or moved through a management area or originated from a herd known or suspected to have Johne's disease or that are known or suspected to have Johne's disease, into New South Wales, unless:

- (a) the cattle are transported in a vehicle directly, or via an approved facility, to:
 - (i) an abattoir, where they are slaughtered, or
 - (ii) a slaughter-only sale, or
 - (iii) an approved feedlot, or,
- (b) the cattle:
 - (i) are steers and are to be slaughtered before 24 months of age; or
- (c) the cattle:
 - (i) originate from a dairy holding, and
 - (ii) are transported in a vehicle directly, or via an approved facility, to a dairy holding; and
 - (iii) are accompanied by a Completed Dairy BJD Assurance Score Declaration Form which was completed within the previous 14 days and is given to the person to whom they are delivered; or

- (d) the cattle:
 - (i) originate from a monitored negative herd in a management area, and
 - (ii) have not subsequently lost their status of monitored negative, and
 - (iii) are transported in a vehicle directly, or via an approved facility, into New South Wales, and
 - (iv) are accompanied by a completed Declaration Form (cattle from a dairy holding must be accompanied by a completed Dairy BJD Assurance Score Declaration Form which was completed within the previous 14 days), bearing details of their status of monitored negative, which is given to the person to whom they are delivered; or
- (e) the cattle:
 - (i) originate from a non-assessed herd in a management area that has been subjected to an approved test that has produced negative results, and
 - (ii) are transported in a vehicle directly, or via an approved facility, into New South Wales, and
 - (iii) are accompanied by a completed Declaration Form (cattle from a dairy holding must be accompanied by a completed Dairy BJD Assurance Score Declaration Form which was completed within the previous 14 days), indicating those results, which is given to the person to whom they are delivered; or
- (f) the cattle:
 - (i) originate from a non-assessed or monitored negative herd in a beef protected area, a protected zone or a free zone, and
 - (ii) are transported in a vehicle directly, or via an approved facility, into New South Wales
 - (iii) if originating from a dairy holding are accompanied by a completed Declaration Form (a completed Dairy BJD Assurance Score Declaration Form which was completed within the previous 14 days), which is given to the person to whom they are delivered; or
- (g) the cattle:
 - (i) satisfy the Beef Only Criteria, and
 - (ii) are transported from the property on which the cattle were last kept, in a vehicle directly, or via an approved facility, into New South Wales, and
 - (iii) are accompanied by a completed Declaration Form, indicating they satisfy the Beef Only Criteria, which is given to the person to whom the cattle are delivered; or

Definitions

In this Proclamation:

approved facility means land which holds cattle and is managed in accordance with a certified property disease management plan designed to prevent the spread of Johne's disease.

approved feedlot means a feedlot which is accredited under the National Feedlot Accreditation Scheme.

approved test means an approved test as defined by the latest edition of the "National Johne's Disease Program Standard Definitions and Rules for Cattle and for goats, deer and camelids infected with cattle strains of *Mycobacterium paratuberculosis*".

Beef Only Criteria has the meaning given to that term in the "National Animal Health Statement for Johne's Disease Status of Beef Cattle" as published from time to time by Animal Health Australia, 26-28 Napier Close, Deakin ACT 2600.

Beef protected area means New South Wales, the Australian Capital Territory and any part of South Australia not falling within the bovine Johne's disease protected zone declared from time to time under South Australian legislation

certified property disease management plan means a plan designed to prevent the spread of Johne's disease that is prepared in accordance with the principles set out in the latest edition of the "National Johne's Disease Program Standard Definitions and Rules for Cattle and for goats, deer and camelids infected with cattle strains of *Mycobacterium paratuberculosis*" as published from time to time by Animal Health Australia and "Bovine Johne's Disease – Infected And Suspect Herds procedure" and is certified from time to time by a District Veterinarian.

Chief Veterinary Officer means the Chief Veterinary Officer appointed pursuant to section 66 (1) of the Animal Diseases (Emergency Outbreaks) Act 1991.

Completed Dairy BJD Assurance Score Declaration Form means a form approved for the declaration of Johne's disease status by the Chief Veterinary Officer or Deputy Chief Veterinary Officer and published on NSW Department of Primary Industries' website at <http://www.dpi.nsw.gov.au/agriculture/livestock/health/specific/cattle/bjd>, which has been completed by the person with day to day responsibility for managing the cattle in question. The details on a completed declaration form must include:

- (a) the property identification code (PIC);
- (b) Part A, one box ticked;
- (c) Part C, 'Total score' section completed;
- (d) Part D if cattle purchased into the herd as adults are being resold
- (e) Declaration section, full name, address, date and signature completed.

dairy holding means:

- (a) a holding, or part of a holding, on which a milking herd is grazed or kept, or
- (b) a holding, or part of a holding, which has the same Property Identification Code (PIC) and/or is under the same ownership or control as a holding described in paragraph (a) above, and which is used to graze or keep cattle that:
 - (i) are part of the milking herd, or
 - (ii) are the progeny of the milking herd, or
 - (iii) are cattle (including beef breed cattle and dairy/beef cross breed cattle that are grazed or kept for beef production) that have grazed or have been kept on the same land as the milking herd; or
- (c) a holding, or part of a holding, on which cattle which will be used in a milking herd are raised for the owner of that milking herd, or
- (d) a holding, or part of a holding, on which dairy breed cattle are bred and/or raised for sale or supply to a milking herd.

Declaration form means a Declaration form for Johne's disease status as approved from time to time by the Chief Veterinary Officer or Deputy Chief Veterinary Officer and published on NSW Department of Primary Industries' website at <http://www.dpi.nsw.gov.au/agriculture/livestock/health/specific/cattle/bjd>

Deputy Chief Veterinary Officer means the Deputy Chief Veterinary Officer appointed pursuant to section 66 (1) of the Animal Diseases (Emergency Outbreaks) Act 1991.

directly means without off-loading cattle from a vehicle en route.

free zone means Western Australia.

herd means a group of cattle that are maintained as a separate and discrete unit, in terms of physical contact with other cattle by an approved fence or barrier, to the satisfaction of the Chief Veterinary Officer or a Deputy Chief Veterinary Officer.

holding means:

- (a) a parcel of land, or
- (b) several parcels of land which:
 - (i) are contiguous with one another or are separated from one another only by a road, river, creek or other watercourse, and
 - (ii) constitute or are worked as a single property, irrespective of whether those parcels are held under the same title or different titles or titles of different kinds.

inspector means a person appointed as an inspector under section 6 of the Act or otherwise authorised by section 6 to perform the duties and/or exercise the powers of an inspector.

Johne's disease means the form of Johne's disease (cattle strain of *Mycobacterium paratuberculosis*) commonly known as bovine Johne's disease.

management area means Victoria and Tasmania.

milking herd means a herd of cattle that are kept for the production of commercial dairy products.

monitored negative has the meaning given to that term in the "Australian Johne's Disease Market Assurance Program for Cattle" published from time to time by Animal Health Australia, 26-28 Napier Close, Deakin ACT 2600.

non-assessed in relation to a herd, means a herd that is not infected or suspected of being infected with Johne's disease, that is not in quarantine on account of Johne's disease, and that does not have a monitored negative or other tested negative status in respect of Johne's disease.

protected zone means Queensland, the Northern Territory and that part of South Australia falling within a bovine Johne's disease protected zone as declared from time to time under South Australian legislation.

slaughter-only sale means a sale of cattle for slaughter where:

- (a) the cattle are known to be or might be infected with Johne's disease;
- (b) the saleyard is managed in accordance with a saleyard plan certified by an inspector to prevent the spread of Johne's disease to any cattle other than steers or cattle sold directly to slaughter;
- (c) the sold cattle are transported directly from the saleyard or via a holding area to an abattoir for slaughter in a manner that prevents the spread of Johne's disease to any cattle other than steers or cattle sold directly to slaughter.

Notes:

- Introducing cattle into New South Wales in contravention of this Proclamation is an offence under section 20 of the Act. The maximum penalty for such an offence is ordinarily \$11,000, but is \$22,000 if the cattle are diseased, and \$110,000 and 6 months imprisonment if the cattle are diseased and other stock in the State become diseased as a result.
- The doing of other things in contravention of this Proclamation is an offence under section 20H (1) (a) of the Act. The maximum penalty for such an offence is \$11,000.

- A person who receives a completed Owner/Vendor Declaration form is advised to retain it as evidence of compliance with this Proclamation.
- 572-BJD is NSW Department of Primary Industries' reference.
- For further information, contact NSW Department of Primary Industries on (02) 6391 3455.

This Proclamation commences on 1 July 2012 or the date it is published in the NSW Government Gazette, whichever is the later date.

Signed and sealed at Sydney this 18th day of July 2012.

By Her Excellency's Command,

KATRINA ANN HODGKINSON, M.P.,
Minister for Primary Industries

GOD SAVE THE QUEEN!

STOCK DISEASES ACT 1923

Notification No. 1826-BJD

Declaration of Protected Area as Regards Johne's Disease in Cattle
(Commonly Known as Bovine Johne's Disease)

I, KATRINA ANN HODGKINSON, M.P., Minister for Primary Industries:

- A. pursuant to sections 3 (2) (a) and 11A of the Stock Diseases Act 1923 ("the Act"), revoke Notification No. 1809-BJD published in *NSW Government Gazette* No. 38 of 28 March 2008 at pages 2572-2576 and any notification revived as a result of that revocation; and
- B. pursuant to section 11A of the Act declare New South Wales to be a Protected Area, as regards Johne's disease in cattle

Definitions

In this Notification:

Johne's disease means the form of Johne's disease (cattle strain of *Mycobacterium paratuberculosis*) commonly known as bovine Johne's disease.

This Notification commences on 1 July 2012 or the date it is published in the *NSW Government Gazette*, whichever is the later date.

Dated this 18th day of July 2012.

KATRINA ANN HODGKINSON, M.P.,
Minister for Primary Industries

FISHERIES MANAGEMENT ACT 1994

Section 8 Notification – Fishing Closure

Line Fishing – Stockton Beach (Stockton) to Big Gibber (Hawks Nest)

I, GEOFF ALLAN, Executive Director, Fisheries NSW, with the delegated authority of the Minister for Primary Industries and the Director-General pursuant to sections 227 and 228 of the Fisheries Management Act 1994 (“the Act”) and pursuant to section 8 of the Act, do by this notification, prohibit the taking of all species of fish by the method of fishing specified in Column 1 of the Schedule, from the waters described in Column 2 of the Schedule.

This fishing closure is effective for a period of five years from the date of publication of this notification, unless sooner amended or revoked.

SCHEDULE

<i>Column 1</i>	<i>Column 2</i>
<p>The use of fishing lines (whether used with a fishing rod or otherwise) with:</p> <ol style="list-style-type: none"> a. Wire trace or line consisting of wire, or b. Chain trace or line consisting of chain, or c. Any single hook larger than size 8/0 attached, or ganged or treble hooks larger than 6/0 attached, or d. A single bait or combination of baits exceeding 200 grams in total. 	<p>From the beach and including the whole of the waters extending 500m seaward from the shoreline of all beaches between the northern breakwater of the Hunter River at Stockton to Big Gibber north of Hawks Nest.</p> <p>Definition: “Shoreline” means the line where the shore meets the water at the relevant time.</p>

Dated this 6th day of July 2012.

Explanatory note:

The object of this fishing closure is to reduce the risk of harming White Sharks by line fishing.

DR GEOFF ALLAN,
 Executive Director, Fisheries NSW,
 Department of Primary Industries,
 (an office within the Department of Trade and Investment, Regional Infrastructure and Services)

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